

The 10th May, 1982

No. 9(I)-81/6Lab/3844.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following Arbitration award of Shri Jai Narain Goel, Managing Director. The Haryana Woollen and General Mills (P) Ltd., Panipat Sole Arbitrator in respect of the dispute between the Carding and Spinning Workers and the management of M/s. Haryana Woollen and General Mills (P) Ltd., Railway Road, Panipat.

BEFOKE SHRI JAI NARAIN GOEL, SOLE ARBITRATOR, PANIPAT

The I was appointed an Arbitrator by the parties through an agreement between them published in *Haryana Government Gazette (Extraordinary)*, January 14, 1982 (Pausa 24, 1903 Saka). The issue in dispute which is referred to me is as under:—

“WHETHER THE WORKMEN OF CARDING AND SPINNING SECTION ARE ENTITLED TO THE AMOUNT OF WAGES FOR THE PERIOD FROM 24TH AUGUST, 1981 TO 23RD NOVEMBER, 1981 I. E., THE PERIOD OF DISPUTE IF SO TO HOW MUCH ? AND WORKMEN INVOLVED ARE 19 ?”

Award in Arbitration reference between Carding & Spinning Workers of the Haryana Woollen and General Mills (P) Ltd., Panipat through Shri Ratti Ram, President and Shri Jai Pal, Secretary of Engineering and Textile Workers Union (Regd.), G. T. Road, Panipat.

versus

M/S. THE HARYANA WOOLLEN AND GENERAL MILLS, (P) LTD., RAILWAY ROAD, PANIPAT THROUGH ITS ADDITIONAL MANAGING DIRECTOR SHRI SUMMER CHAND GOEL

AWARD

1. After the abovesaid Notification I called upon the parties to be present on 22nd January, 1982 and partly heard their case on that date.
2. The case was again taken up on 29th January, 1982 and 5th February, 1982.
3. I have heard both the parties. Documents in possession of both the parties are identical and admitted.
4. After carefully going into documents of the case in possession of the parties I reached the following conclusion :—

- (i). That on or about 24th August, 1981 the Card workers of the Factory stopped cleaning card machines which has always been an integral part of their duty not in this factory only but throughout all Woollen Spinning Units at Panipat. Without cleaning the carding machines it is not possible to run the same. The employers persuaded the workers for many days to clean the machines and operate them but the card machine workers did not concede. These were the circumstances which made the working of the factory impossible and the management had to lay off Frame workers under section 25-E of the Industrial Disputes Act, without any wages. Thus it is very clear that the workers on card machines whose duty was to clean the machines in the regular course of their employment were responsible for whole of the muddle. I, therefore, decide that the following workers are not entitled to any wages for the period from 24th August, 1981 to 23rd November, 1981:—

- (1) Shri Kesho Ram
- (2) Shri Ratti Ram
- (3) Tej Bhan
- (4) Shri Malkhan Singh
- (5) Shri Diwan Chand
- (6) Shri Hari Lal
- (7) Shri Ram Lakhan

5. The Frame workers were laid off under section 25-E of the Industrial Disputes Act, for no fault of their own and therefore, they suffered due to default of the workers given in para No. 4(i). Though legally they are not entitled to any wages but on humanitarian grounds I decide that the following Ring Frame workers be paid as *ad hoc* payment equal to 25 per cent of their wages then prevailing for the period from 24th August, 1981 to 23rd November, 1981. The wages in those days of Ring Frame workers were Rs. 393.50 per month and, therefore, they shall be paid at the rate of Rs 98.37 paise per month for this period. The names of the Frame workers are as under :—

5. (i) (1) Shri Rangi Ram
(2) Shri Hardwari Lal
(3) Shri Deep Chand
(4) Shri Sultan Singh
(5) Shri Hukam Chand
(6) Shri Sadhu Sawrup
(7) Shri Kishan Chand
(8) Shri Ram Rogp
(9) Shri Lachhman Dass
(10) Shri Lal Chand II
(11) Shri Ram Hari.

6. Regarding Shri Hona Ram he does not belong to Carding and Spinning Section of the Mills, and is a Lathe-man. He has already received his payment during the period he worked.

I give my award in the above terms.

Dated 11th April, 1982.

JAI NARAIN GOEL,

Managing Director,

The Haryana Woollen and General Mills (P) Ltd.,

Railway Road, Panipat.

ARBITRATOR.

Regd. A/D

Forwarded four copies to Secretary, Labour Department, Government of Haryana, Chandigarh, for necessary action.

JAI NARAIN GOEL,

Managing Director,

The Haryana Woollen and General Mills (P) Ltd.,
Railway Road, Panipat,
ARBITRATOR.

H. L. GUGNANI,

Commissioner & Secretary to Government, Haryana,
Labour and Employment Departments.